

RO370
 ER: VIW
 GE: 1
 ALABAMA JUDICIAL INFORMATION SYSTEM
 CASE ACTION SUMMARY
 DISTRICT CRIMINAL
 CASE: DC 2000 001118.00
 RUN DATE: 10/09/2003
 JUDGE: MJB
 THE DISTRICT COURT OF RUSSELL

ATE OF ALABAMA

VS

HEATH ROY DAVID
 217344
 9947 HWY 21 NO.
 ATMORE, AL 36503 0000

SE: DC 2000 001118.00

B: 12/23/1960 SEX: M RACE: W HT: 5 06 WT: 195 HR: BRO EYES: BRO
 N: 259271658 ALIAS NAMES:

ARGE01: POSS MARIJUANA 1ST CODE01: VAPF LIT: POSS MARIJUANA TYP: F #: 001
 FENSE DATE: 05/04/2000 AGENCY/OFFICER: 0570000

TE WAR/CAP ISS:
 TE INDICTED:
 TE RELEASED: 06/20/2000
 BOND AMOUNT: \$2,500.00 S

DATE ARRESTED: 05/04/2000
 DATE FILED: 05/08/2000
 DATE HEARING:
 SURETIES: AAA BONDING CO.

TE 1: DESC:
 TE 2: 11/16/2000 DESC: PLMH

TIME: 0000
 TIME: 0900 A

ACKING NOS: CC 2001 000036 00 /

DEF/ATY: COOPER CONNIE JO
 P O BOX 3110

TYPE: A

TYPE:

PHENIX CITY AL 36868

00000

PROSECUTOR: DAVIS KENNETH E

H CSE: CC200100003600 CHK/TICKET NO: WA-00-1363
 URT REPORTER: SID NO: 000000000 GRAND JURY:
 F STATUS: BOND DEMAND: OPER: JOS

| TRANS DATE | ACTIONS, JUDGEMENTS, AND NOTES | OPER |
|------------|---|------|
| 05/05/2000 | SET FOR: FIRST CALL ON 05/05/2000 AT 0900A (AR01) | OPE |
| 05/05/2000 | ORDER CONTINUING CASE TO SEPTEMBER 7, 2000, FOR | JOS |
| 05/05/2000 | PRELIMINARY HEARING. DEFENDANT TO HIRE HIS | JOS |
| 05/05/2000 | OWN ATTORNEY. BOND SET AT \$2,500.00 | JOS |
| 06/06/2000 | ATTORNEY FOR DEFENDANT: PHILLIPS MICHAEL SCOTT | DEB |
| 06/06/2000 | DEFENDANT'S MOTION TO REDUCE BOND | DEB |
| 06/09/2000 | ORDER DENYING DEFENDANT'S MOTION TO REDUCE BOND | DEB |
| 06/22/2000 | STATUS CHANGED TO: "B" - BOND (AR01) | DEB |
| 06/22/2000 | SURETY ADDED: AAA BONDING CO. (AR01) | DEB |
| 06/22/2000 | DEFENDANT RELEASED FROM JAIL: 06/20/2000 (AR01) | DEB |
| 07/18/2000 | DEFENDANT'S AFFIDAVIT OF SUBSTANTIAL HARDSHIP | DEB |
| 07/19/2000 | ORDER DENYING DEFENDANT'S REQUEST FOR COURT | DEB |
| 07/19/2000 | APPOINTED COUNSEL | DEB |
| 08/17/2000 | WITNESS SUBPOENA ISSUED | DEB |
| 08/31/2000 | DEFENDANT'S AFFIDAVIT OF SUBSTANTIAL HARDSHIP | DEB |
| 09/07/2000 | ORDER APPOINTING THE HON. CONNIE COOPER TO | DEB |
| 09/07/2000 | REPRESENT SAID DEFENDANT-CASE CONTINUED | DEB |

~~EXHIBIT 3~~

EXHIBIT (1) 10F2

CRO370
PER: VIW
AGE: 2

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
DISTRICT CRIMINAL

CASE: DC 2000 001118.00

RUN DATE: 10/09/2003

N THE DISTRICT COURT OF RUSSELL

JUDGE: MJB

TATE OF ALABAMA

VS

HEATH ROY DAVID

217344

9947 HWY 21 NO.

ATMORE, AL 36503 0000

ASE: DC 2000 001118.00

OB: 12/23/1960

SN: 259271658

SEX: M

RACE: W

HT: 5 06

WT: 195

HR: BRO EYES: BRO

ALIAS NAMES:

| TRANS DATE | ACTIONS, JUDGEMENTS, AND NOTES | | |
|------------|---|--------|-----|
| 09/07/2000 | TO NOVEMBER 16, 2000, AT 9:00A.M. FOR | | OPE |
| 09/07/2000 | PRELIMINARY HEARING. | | DEB |
| 09/11/2000 | DEFENDANT'S MOTION FOR APPROVAL OF EXPENSES | | DEB |
| 09/11/2000 | PURSUANT TO MAY V. STATE | | DEB |
| 09/11/2000 | DEFENDANT'S MOTION FOR DISCOVERY | | DEB |
| 09/12/2000 | ORDER GRANTING DEFENDANT'S MOTION FOR APPROVAL | | DEB |
| 09/12/2000 | OF EXPENSES PURSUANT TO MAY V. STATE | | DEB |
| 09/12/2000 | ORDER GRANTING DEFENDANT'S MOTION FOR DISCOVERY | | DEB |
| 10/25/2000 | WITNESS SUBPOENA ISSUED | | DEB |
| 11/16/2000 | ORDER WAIVING CASE TO THE GRAND JURY. | | DEB |
| 11/22/2000 | ATTORNEY'S FEE DECLARATION (\$232.08) | | DEB |
| 11/27/2000 | ATTORNEY'S FEE DECLARATION (\$56.90) | | DEB |
| 11/28/2000 | CASE ACTION SUMMARY PRINTED | (AR08) | DEB |
| 11/01/2001 | ADDR1 CHANGED FROM: 3 TRAPPER DRIVE | (AR01) | JOS |
| 11/01/2001 | PRIOR ENTRY RESULTS FROM CC200100003600 | (AR01) | JOS |
| 11/01/2001 | HOME CITY CHANGED FROM: PHENIX CITY | (AR01) | JOS |
| 11/01/2001 | PRIOR ENTRY RESULTS FROM CC200100003600 | (AR01) | JOS |
| 10/09/2003 | CASE ACTION SUMMARY PRINTED | (AR08) | VIW |

~~EXHIBIT 11~~

EXHIBIT (1) 2 of 2

STATE OF ALABAMADepartment of Corrections
Inmate Stationery

Case CC-01-30, 36

DATE 1-3-06

Dear Miss Cooper

I need all papers concerning the
Above Case No. and any Discovery, tapes
Legal papers, Court Records, Transcripts
and any other Records not stated
because my Records state you Filed
for my Discovery and I need all Records
in this above case

Thanks

Roy D Heath
217344

Roy Roy D Heath
Ventress CORP F.
PO Box 767
Clayton AL 36016

Case No
CC, 01, 30
CC, 01, 36

EXhibit (3)

DC-00-1061

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF ALABAMA)

V.)

ROY DAVID HEATH)

STATE OF ALABAMA

In the Circuit Court
of Russell County

Before me, Becky Green, the undersigned authority personally appeared
Agent Tom Franklin who being by me first duly sworn, deposes, and says:

On Friday 04/28/00 Agent Franklin met with a confidential informant who stated that they had arranged to purchase a quantity of marijuana from a white male named David Heath. The informant stated that Heath lived at 915 13th Avenue in Phenix City. Heath's full name was determined to be Roy David Heath.

On Friday 04/28/00 Agent Kenneth Herring searched the informant and fitted the informant with a electronic monitoring device. Agent Evans then drove the informant to 915 13th Avenue. Agent Evans waited in the vehicle and watched the informant go into 915 13th Avenue. Once inside the residence the informant met with Heath. During the conversation between the informant and Heath, Heath handed the informant a clear plastic bag containing marijuana in return for the metro funds. The informant then left the residence and again met with Agent Evans who was inside the undercover vehicle. The informant turned the marijuana over to Agent Evans. There was a recording made of the transaction and a taped statement given to agents by the informant.

Based on the above listed facts and circumstances, the affiant believes that there is probable cause to issue a search of the listed premises, persons, and vehicles.

Sworn and Subscribed before me this
the 1st day of May, 2000.

Tom Franklin
Affiant

[Signature]
Judge

CIRCUIT/DIST. COURT
RUSSELL CO., ALA.

2000 MAY -5 PM 3:56

FILED IN OFFICE

Exhibit (9)

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA
JUDICIAL BUILDING, 300 DEXTER AVENUE
P.O. BOX 301555
MONTGOMERY, AL 36130-1555

H. W. "Bucky" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

July 12, 2001

Lane W. Mann
Clerk
Wanda K. Ivey
Assistant Clerk
(334) 242-459
FAX (334) 242-468

DEFICIENCY NOTICE

TO: Hon. John M. Britton, Attorney
FROM: Lane W. Mann, Clerk, Court of Criminal Appeals
RE: CR-00-2143

Roy David Heath v. State of Alabama (Appeal from Russell Circuit Court, CC01-30; CC01-36).

You are hereby notified that the above-referenced appeal is deficient in that the Docketing Statement, Form ARAP 26, and the Reporter's Transcript Order - Criminal, Form ARAP 1c, have not been filed (see Rules 3(e) and 10(c)(2) of the Alabama Rules of Appellate Procedure).

Although both forms must be filed with the Circuit Clerk, it is the appellant's responsibility to mail copies of the Reporter's Transcript Order to each court reporter who reported the proceedings designated, to the Clerk of this Court, to the district attorney, to the county from which the appeal is taken and to the Attorney General.

Please be aware that after a notice of appeal has been filed, the filing of a post trial motion does not stay the time or eliminate the requirement that these forms be filed. As such, immediate action should be taken to correct this deficiency.

CCA/di

file Motion
Get Copy of
APP. of H&A.

Copy of reason
why denied

within
28 days

~~EXHIBIT TO~~

~~(EXHIBIT TO)~~

EXHIBIT (4)

Refer to
00-21-43

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA
JUDICIAL BUILDING, 300 DEXTER AVENUE
P.O. BOX 301555
MONTGOMERY, AL 36130-1555

H. W. "Bucky" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

September 26, 2001

Lane W. Mann
Clerk
Wanda K. Ivey
Assistant Clerk
(334) 242-4590
FAX (334) 242-4689

FINAL NOTICE BEFORE DISMISSAL

TO: Roy David Heath, Pro Se
FROM: Lane W. Mann, Clerk, Court of Criminal Appeals
RE: CR-00-2143

Roy David Heath v. State of Alabama (Appeal from Russell Circuit Court: CC01-30;
CC01-36).

You were previously notified that the above referenced appeal is deficient in that the Docketing Statement, Form ARAP 26, and the Reporter's Transcript Order - Criminal, Form ARAP 1c, have not been filed (see Rules 3(e) and 10(c)(2) of the Alabama Rules of Appellate Procedure).

Because of this deficiency you were instructed to take immediate action to see that the same was corrected. Since this deficiency has not been corrected, please be advised that if properly completed copies of the above referenced forms are not received by this Court within fourteen (14) days from the the date of this notice this appeal will be dismissed.

CCA/sm

~~EXHIBIT (5)~~

Exhibit (5)